

## UNITED STATES SECURITIES AND EXCHANGE COMMISSION NEW YORK REGIONAL OFFICE

BROOKFIELD PLACE, 200 VESEY STREET, SUITE 400 NEW YORK, NEW YORK 10281-1022

WRITER'S DIRECT DIAL LINE (212) 336-0080

May 18, 2018

## Via Fax and ECF

The Honorable George B. Daniels United States District Judge Southern District of New York 500 Pearl Street New York, NY 10007-1312

RE: SEC v. Yorkville Advisors, LLC, et al., (12-CV-7728) (GBD)

Dear Judge Daniels:

Attached for the Court's consideration is a stipulation of the parties dismissing the action with prejudice against all Defendants pursuant to FRCP 41(a)(1)(A)(ii). In light of this stipulation, the parties believe that the conference presently scheduled for May 23, 2018 can be removed from the calendar. If the Court has any questions, I can be reached at (212) 336-0080.

Respectfully submitted,

/s/ Todd. D. Brody
Todd D. Brody
Senior Trial Counsel

cc:

Caryn G. Schechtman, Esq. (by email) Patrick J. Smith, Esq. (by email) Rodney Villazor, Esq. (by email)

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<b>FOR</b>	THE	<b>SOUTH</b>	ERN D	ISTRIC	T OF	NEW	<b>YORK</b>

SECURITIES AND EXCHANGE

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COMMISSION,

Plaintiff,

12 CIV 7728 (GBD)

V.

:

YORKVILLE ADVISORS, LLC,

**ECF CASE** 

MARK ANGELO and EDWARD SCHINIK,

Defendants.

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## STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between the parties and/or their respective counsel that the above-captioned action is voluntarily dismissed with prejudice against all defendants pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

Dated: May 18, 2018

Todd D. Brody

Securities and Exchange Commission

New York Regional Office Brookfield Place, Room 400

New York, NY 10281 Tel: (212) 336-0080

Attorney for Plaintiff

Ву: \_\_\_\_\_

Caryn G. Schechtman DLA Piper LLP (US)

1251 Avenue of the Americas New York, NY 10020-1104

Tel: (212) 335-4593 Attorney for Defendants

SO ORDERED, this \_\_\_\_\_ day of May, 2018.

UNITED STATES DISTRICT JUDGE